

1 JAMES D. PERKINS, WSBA #12996
Attorney for the United States Trustee
2 United States Dept. of Justice
920 West Riverside, Room 593
3 Spokane, WA 99201
Telephone (509) 353-2999
4 Fax (509) 353-3124
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6 **UNITED STATES BANKRUPTCY COURT**
7 **EASTERN DISTRICT OF WASHINGTON**

8 In re:

9 Philip G. Rosenkranz

10 Debtor
11

Case No. 14-01974-FLK7

UNITED STATES TRUSTEE'S
NOTICE OF AND MOTION TO
EXTEND TIME

12
13 Please take notice that the United States Trustee hereby moves the court for an
14 order that extends the time for filing a motion to dismiss under 11 U.S.C. § 707(b) or a
15 complaint objecting to discharge under 11 U.S.C. § 727. The United States Trustee
16 does so on the following grounds:

17 1. The United States Trustee is currently reviewing this case to determine
18 whether either a motion to dismiss under 11 U.S.C. § 707(b) or a complaint objecting
19 to discharge under 11 U.S.C. § 727 would be appropriate in case.

20 2. The United States Trustee began reviewing this case shortly after it was
21 filed and has asked the Debtor to provide information to assist the United States
22 Trustee in its review. The Debtor has cooperated with the United States Trustee's
23 office and is continuing to do so. However, the United States Trustee is currently
24 waiting for the Debtor to provide certain additional requested information.

25 3. The current deadlines for bringing either a motion to dismiss under 11
26 U.S.C. § 707(b) or a complaint objecting to discharge under 11 U.S.C. § 727 are

1 August 18, 2014 and September 8, 2014. There is not sufficient time before those
2 deadlines for the Debtor to provide the United States Trustee with the necessary
3 information, for the United States Trustee to review that information, for the United
4 States Trustee to make a decision whether to bring a motion to dismiss or a complaint
5 objecting to discharge, and (if appropriate) for the United States Trustee to draft, file
6 and serve the necessary motion/complaint. If the United States Trustee is required to
7 seek production of this information pursuant to Bankruptcy Rule 2004, then even
8 more time will be required.

9 4. Bankruptcy Rule 4004(b) permits the Court to extend the time to filing a
10 complaint objecting to discharge for cause. Bankruptcy Rule 1017(e)(1) similarly
11 provides that the Court may extend the time for filing a §707(b) motion to dismiss,
12 again for cause shown. In both cases, the request for an extension of time must be
13 filed before the original deadline.

14 5. Here, the United States Trustee's inability to complete the investigation into
15 the Debtor's financial situation despite diligence in pursuing that investigation
16 constitutes cause for extension of the deadline for filing such a motion/complaint.
17 This motion is brought before the current filing deadline has expired and is timely.

18 Wherefore, the court is respectfully requested to extend the time for filing a
19 motion to dismiss under 11 U.S.C. § 707(b) or a complaint objecting to discharge under
20 11 U.S.C. § 727 to October 17, 2014.

21
22 UNLESS YOU FILE A written objection with the clerk of the court at 402 E. Yakima
23 Ave., Suite 200, Yakima, WA 98901 or 904 West Riverside Avenue, Room 304,
24 Spokane, WA 99201 and serve a copy on the undersigned, and on the trustee, within 24
25 days of the date of this notice, an order may be entered without further notice to you.

